

February 28, 2012

***BY ELECTRONIC FILING***

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Suite TW-A325  
Washington, D.C. 20554

**Re: EB Docket No. 06-36  
Annual CPNI Certification for OnStar, LLC**

Dear Ms. Dortch:

Pursuant to Section 64.2009(e) of the Commission's rules, enclosed please find OnStar, LLC's annual Customer Proprietary Network Information (CPNI) certification. Please contact me directly with any questions.

Respectfully Submitted,

*/s/ Ari Q. Fitzgerald*

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Enclosures

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2012 covering the prior calendar year 2011.

1. Date filed: February 28, 2012
2. Name of company covered by this certification: OnStar, LLC ("OnStar" or "company")
3. Form 499 Filer ID: 822794
4. Name of signatory: Alain Genouw
5. Title of signatory: Chief Financial Officer
6. Certification:

I, Alain Genouw, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001, *et seq.*


Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in Section 64.2001, *et seq.*, of the Commission's rules.

OnStar has not taken any actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

OnStar has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

OnStar represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17, which requires truthful and accurate statements to the Commission. OnStar also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed:

  
Alain Genouw  
Chief Financial Officer  
OnStar, LLC  
400 Renaissance Center  
MC482-D39-B-32  
Detroit, MI 48265

Attachments: OnStar, LLC Explanatory Statement Regarding 2011 CPNI Compliance

## **OnStar, LLC**

### **Explanatory Statement Regarding 2011 CPNI Compliance**

OnStar, LLC ("OnStar" or "Company") provides this statement pursuant to 47 C.F.R. § 64.2009(e) of the Commission's rules to explain how OnStar's operating procedures are designed to comply with the Commission's customer proprietary network information ("CPNI") regulations. As explained below and as stated in the attached certification by Alain Genouw, OnStar is in compliance with the Commission's CPNI rules as set forth at 47 C.F.R. §§ 64.2001, *et seq.* OnStar is a CMRS reseller, and its "Hands-Free Calling" is a pre-paid service that does not generate, and is not reflected, in customer invoices. OnStar obtains only a limited amount of CPNI that is accessible to and maintained by its underlying facilities-based providers of telecommunications service.

#### **Compliance Certification**

An officer of OnStar is required to sign and file with the Commission an annual compliance certification. The certification is based on the personal knowledge of the certifying officer, acquired through personal knowledge, information, and reasonable inquiry, and states that OnStar has established operating procedures designed to ensure compliance with the Commission's CPNI rules.

#### **CPNI Use**

OnStar does not use, disclose, or permit access to CPNI to third parties without customer approval, except as permitted by law. Accordingly, the customer notice and associated record-keeping requirements of the Commission's CPNI rules are not applicable.

#### **Procedures Designed to Ensure the Privacy and Security of CPNI**

OnStar takes its obligations regarding the privacy and security of CPNI seriously and has implemented reasonable measures and controls to ensure compliance with the FCC's CPNI rules. These measures and controls also are intended to enable OnStar to discover and protect against attempts by third parties to gain unauthorized access to CPNI. OnStar reviews daily reports regarding instances in which CPNI has been requested to determine whether any unauthorized breaches have occurred. OnStar also has implemented comprehensive procedures governing the handling and storage of CPNI. As part of these measures, OnStar limits internal access to CPNI and conducts internal investigations and audits to evaluate the security of CPNI data on a regular basis.

Several OnStar employees are dedicated to privacy and data security issues, including those pertaining to CPNI. Together, these individuals work in concert with other OnStar employees to implement OnStar's privacy and security policies, which are designed to protect customer information, including CPNI.

In addition to its internal policies, which are designed to ensure compliance with the Commission's CPNI Rules, OnStar has a Privacy Statement available on its website. The

Privacy Statement explains how OnStar collects, uses, and shares personal and car-specific information that OnStar obtains in connection with the services it provides to customers in the United States. As of July 2009, the Privacy Statement contains a section on CPNI. A copy of the Privacy Statement is provided to customers.

### **Record Retention for Marketing Campaigns**

OnStar has established procedures to maintain records of sales and marketing campaigns that rely on its use of CPNI as permitted by law. The records include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as part of the campaign. OnStar maintains these records for at least one year. OnStar also has a supervisory review process regarding compliance with the CPNI rules for its outbound marketing campaigns and maintains records of its compliance for at least one year.

### **Customer Authentication**

OnStar has established procedures that require proper authentication prior to disclosing CPNI. However, OnStar does not disclose call detail information over the telephone in response to customer-initiated telephone contacts. OnStar requires all requests for call detail information to be in writing, and responds to written requests for call detail information and other CPNI by sending a written response to the address of record. Online account access to OnStar CPNI is not available at this time.

### **Employee Training and Discipline**

With regard to the very limited amount of customer data that OnStar obtains in connection with its provision of "Hands-Free Calling" service, OnStar has trained its employees with respect to the appropriate handling of such data, including CPNI. This Companywide training includes training regarding the proper authentication of customers making inbound inquiries by telephone.

OnStar has an express written policy that states that any employee who fails to follow OnStar policies and procedures, including those relating to the proper use of CPNI, will be subject to disciplinary action, up to and including termination.

### **Account Changes**

Whenever a PIN/password, customer response to a back-up means of authentication for a lost or forgotten PIN/password, online account, or address of record is created or changed, OnStar mails a notice to the customer's address of record. Such notices are sent only to an address associated with the customer's account for at least 30 days (except for accounts activated within the last 30 days, in which case the notice is sent to the address provided at the time of account activation). The notices do not reveal the specific changed information.

### **Security Breaches**

OnStar has policies and procedures to notify law enforcement of a breach of its customers' CPNI as soon as practicable, but in no event later than seven (7) business days after a

reasonable determination has been made that a breach occurred. It is OnStar's policy to notify customers of a breach of their CPNI promptly; however, it will not notify customers sooner than the eighth business day following completion of the notice to law enforcement except where such notification can be made sooner as provided for in the FCC's rules. OnStar also may delay notification as required by the FCC's rules when directed to do so by the U.S. Secret Service or the FBI (e.g., in response to a written agency request that OnStar not notify customers for an initial period of up to 30 days, which may be extended further by the agency). Any public disclosure by OnStar of a breach will also be consistent with the FCC's rules and with these policies and procedures.

### **Recordkeeping**

OnStar maintains procedures for keeping a record for at least two years of all CPNI security breaches, breach notifications made to law enforcement, and breach notifications made to customers.

During this reporting period, OnStar received no customer complaints concerning the unauthorized release of CPNI. If a complaint is made, the complaint is reported and investigated internally. In addition, OnStar has policies and procedures to maintain a record of such complaints by category (e.g., instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, and instances of improper access to online information by individuals not authorized), and a summary of such customer complaints is included in OnStar's annual CPNI certification.

OnStar acquired no information regarding the activities of, nor took any actions against, pretexters or data brokers during this reporting period. If any such information is obtained, or if any such actions are taken, by OnStar against pretexters and data brokers, OnStar maintains a record of those actions and includes an explanation of such actions with its annual CPNI certification.

### **Policy Changes**

Should OnStar change its policies such that the use, disclosure, or permitted access to CPNI requires customer approval, appropriate customer notice (including appropriate opt-out procedures and opt-out failure reporting), recordkeeping, and FCC notification practices will be implemented.